

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Appeal No.S-234 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-10392/2016
2. For orders on MA-10572/2016
3. For hearing of MA-10285/2016

23.12.2016.

Mr. Pirbhulal U. Goklani, Advocate for Appellant.

Mr. Irshad Ahmed Channa, Advocate alongwith Complainant.

ORDER

MUHAMMAD FAISAL KAMAL ALAM, J:- By this order I propose to dispose of listed applications being M.A No.10572/2016, filed by the appellant and complainant under Section 345(VI) of Cr.P.C, as the parties have compromised the matter. However, the complainant has forgiven the appellant-Taj Muhammad, who was convicted and sentenced under the impugned judgment and is not interested to receive Daman/damages. In this regard, today the complainant-Abdul Qadir S/o Aleemuddin Khan Qaimkhani is present in person alongwith his Counsel Mr.Irshad Ahmed Channa and reiterated the contents of listed application. Supporting affidavit has also been filed by the said complainant, who was the victim (injured person) also. He has produced his original N.I.C to confirm his identification. The FIR lodged against the appellant was in respect of Crime No.12/2016, under Section 324, 337-F(iii), 337-H(ii), 504, 147, 148, 149 PPC, registered at Police Station Chambar, District Tando Allahyar.

The was convicted under Section 324 and 337-F(ii) of P.P.C and sentenced to suffer R.I for 10 years and a fine of Rs.50,000/- and in default of payment to suffer S.I for 03 months more and that he was directed to pay a Daman of Rs.25,000/- to the victim under Section 337-F(iii) PPC. However, both the offences are compoundable (subject to payment of Daman as referred to above) in terms of Section 345 of Cr.P.C. Therefore, the listed application being M.A No.10392/2016 under Section 345(2) Cr.P.C is granted and the amount of Rs.25,000/- towards Daman will be deposited by the appellant with the learned Additional Registrar of this Court, which will be withdrawn by the complainant Abdul Qadir in accordance with the rules. The appellant Taj Muhammad S/o Bashir Ahmed is ordered to be released forthwith, if not required in any other criminal case. Consequently, in view of the above, the present Criminal Appeal stands disposed of.

JUDGE